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9 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
10 **STATE OF CALIFORNIA**

11 In the Matter of the Petition to Revoke
12 Probation Against,

OAH No.: N2007050348

Case No.: 2002-59

13 **PARIS CONNER-ROSCOE**
11750 Mount Vernon Avenue, #239
14 Grand Terrace, CA 92313

PETITION TO REVOKE PROBATION

15 **Registered Nurse License 361533**

16 Respondent.
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19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Petition to Revoke Probation
22 solely in her official capacity as the Executive Officer of the Board of Registered Nursing,
23 Department of Consumer Affairs.

24 2. On or about August 31, 1983, the Board of Registered Nursing issued Registered
25 Nurse License Number 361533 to Paris Conner-Roscoe (Respondent). The Registered Nurse
26 License was in effect at all times relevant to the charges brought herein and will expire on
27 October 31, 2012, unless renewed.

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1 3. Complainant alleges that on or about January 25, 2003, in a disciplinary action
2 entitled "In the Matter of the Accusation against Paris Conner-Roscoe" before the Board of
3 Registered Nursing, in Case No. 2002-59, Respondent's license was revoked in a default
4 decision, for unprofessional conduct based upon Respondent's violation of Business and
5 Professions Code section 2761(a), for attempting to procure "Soma" [a brand of Carisoprodol
6 classified as a dangerous drug within the meaning of section 4022 of the Business and Professions
7 Code] for her own use. That default decision became final on January 25, 2003, and is
8 incorporated by reference as if fully set forth.

9 4. On April 27, 2007, Respondent filed a petition for reinstatement of her license. The
10 Board's decision on the Respondent's petition entitled "In the Matter of Petition for
11 Reinstatement of Revoked License of Paris Conner-Roscoe," Case No. N2007050348, was
12 effective on August 19, 2007, and provides that Respondent's Registered Nurse License was
13 revoked. However, the revocation was stayed and Respondent's Registered Nurse License was
14 placed on probation for a period of five (5) years with certain terms and conditions. A copy of
15 that decision is attached as Exhibit A and is incorporated by reference.

16 **JURISDICTION**

17 5. This Petition to Revoke Probation is brought before the Board of Registered Nursing
18 (Board), Department of Consumer Affairs, under the authority of the following laws. All section
19 references are to the Business and Professions Code unless otherwise indicated.

20 6. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent
21 part, that the Board may discipline any licensee, including a licensee holding a temporary or an
22 inactive license, for any reason provided in Article 3 (commencing with section 2750) of the
23 Nursing Practice Act.

24 7. Section 2764 of the Code states:

25 "The lapsing or suspension of a license by operation of law or by order or decision of the
26 board or a court of law, or the voluntary surrender of a license by a licentiate shall not deprive the
27 board of jurisdiction to proceed with any investigation of or action or disciplinary proceeding
28 against such license, or to render a decision suspending or revoking such license."

1 8. Section 2118, subdivision (b), of the Code provides: "Each such license not renewed
2 in accordance with this section shall expire but may within a period of eight years thereafter be
3 reinstated upon payment of the biennial renewal fee and penalty fee required by this chapter and
4 upon submission of such proof of the applicant's qualifications as may be required by the board,
5 except that during such eight-year period no examination shall be required as a condition for the
6 reinstatement of any such expired license which has lapsed solely by reason of nonpayment of the
7 renewal fee. After the expiration of such eight-year period the board may require as a condition
8 of reinstatement that the applicant pass such examination as it deems necessary to determine his
9 present fitness to resume the practice of professional nursing."

10 **FIRST CAUSE TO REVOKE PROBATION**

11 (Comply with the Board's Probation Program)

12 9. At all times after the effective date of Respondent's probation, Condition 3 stated:

13 "Petitioner shall fully comply with the conditions of the probation program established by
14 the board and shall cooperate with representatives of the board in its monitoring and investigation
15 of petitioner's compliance with the board's probation program."

16 10. Respondent's probation is subject to revocation because she failed to comply with
17 Probation Condition 3, referenced above. The facts and circumstances regarding this violation
18 are that Respondent failed to comply with Conditions of Probation number 15 and number 17 as
19 more fully set forth below in paragraphs 11-14 and incorporated herein by reference.

20 **SECOND CAUSE TO REVOKE PROBATION**

21 (Participate in Treatment/Rehabilitation Program for Chemical Dependence)

22 11. At all times after the effective date of Respondent's probation, Condition 15 stated:

23 "Petitioner, at her expense, shall successfully complete during the probationary period, or
24 shall have successfully completed prior to commencement of probation, a board-approved
25 treatment/rehabilitation program of at least six months duration....Based on board
26 recommendation, each week petitioner shall be required to attend at least one, but no more than
27 five 12-step recovery meetings or equivalent (e.g., Narcotics Anonymous, Alcoholics
28 Anonymous, etc.) and a nurse support group as approved and directed by the board."

1 12. Respondent's probation is subject to revocation because she failed to comply with
2 Probation Condition 15, referenced above. The facts and circumstances regarding this violation
3 are that on or about August 31, 2010, Respondent failed to attend the Nurse Support Group.

4 **THIRD CAUSE TO REVOKE PROBATION**

5 (Submit to Tests and Samples)

6 13. At all times after the effective date of Respondent's probation, Condition 17 stated:
7 "Petitioner, at her expense, shall participate in a random, biological fluid testing or a drug
8 screening program which the board approves."

9 14. Respondent's probation is subject to revocation because she failed to comply with
10 Probation Condition 17, referenced above. The facts and circumstances regarding this violation
11 are as follows. Respondent is required during Probation to call or to check-in on-line everyday
12 with FirstLab. Respondent has either been late or neglected to call or check-in on-line on the
13 following dates: (all dates occurred in 2010) May 6 late, 8 late, 31 late; June 4 did not call, 5 did
14 not call; July 24 did not call; August 29 did not call; September 6 on suspension at FirstLab; 25
15 did not call; October 27 did not call; December 19 did not call.

16 **PRAYER**

17 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
18 and that following the hearing, the Board of Registered Nursing issue a decision:

19 1. Revoking the probation that was granted by the Board of Registered Nursing in Case
20 No. N2007050348 and imposing the disciplinary order that was stayed thereby revoking
21 Registered Nurse License No. 361533 issued to Paris Conner-Roscoe;

22 2. Revoking or suspending Registered Nurse License No. 361533, issued to Paris
23 Conner-Roscoe;

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3. Taking such other and further action as deemed necessary and proper.

DATED: April 15, 2011 Louise R. Bailey
LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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Exhibit A

Decision and Order

Board of Registered Nursing Case No. N2007050348

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition for
Reinstatement:

PARIS CONNER-ROSCOE

Registered Nurse License No. 361533
Nurse Practitioner Certificate No. 5955

Petitioner.

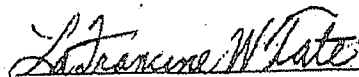
OAH No. N2007050348

DECISION

The attached Decision of the Board of Registered Nursing is hereby adopted by the Board
as its Decision in the above-entitled matter.

This Decision shall become effective on August 19, 2007.

IT IS SO ORDERED this 20th day of July 2007.



President
Board of Registered Nursing
Department of Consumer Affairs
State of California

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition for
Reinstatement of Revoked License of:

PARIS CONNER-ROSCOE,

Petitioner.

OAH No. N2007050348

DECISION

This matter was heard before the Board of Registered Nursing in Burlingame, California, on June 7, 2007. Michael C. Cohn, Administrative Law Judge, State of California, Office of Administrative Hearings, presided.

Hannah Hirsch Rose, Deputy Attorney General, represented the Department of Justice, Office of the Attorney General.

Petitioner Paris Conner-Roscoe represented herself.

FACTUAL FINDINGS

1. Petitioner Paris Conner-Roscoe was issued registered nurse license number 361533 (as Paris Conner) on August 31, 1983. She was issued nurse practitioner certificate number 5955 on March 12, 1992. In August 1999, petitioner entered into a stipulated decision in which she admitted that between February and June 1993, while employed as a registered nurse and nurse practitioner, she took prescription blank forms from three physicians and wrote prescriptions for Soma for her own use; that during this time she obtained 270 Soma tablets for her own use; that she used these Soma tablets in a manner dangerous to herself or others; that in October 1993 she attempted to obtain 30 Soma tablets for her own use by calling in a false prescription using the name of a physician; and that her actions subjected her to discipline for unprofessional conduct pursuant to Business and Professions Code sections 2761, subdivision (a), and 2726, subdivisions (a) and (b).

Pursuant to this stipulated decision, effective September 22, 1999, petitioner's license and certificate were revoked, the revocations were stayed, and petitioner was placed on probation for three years on extensive terms and conditions. Petitioner failed to comply with any of the terms of probation. Her license and certificate expired on October 31, 2000 and were not renewed.

In October 2001, the board's executive officer filed an accusation and petition to revoke probation against petitioner. Petitioner failed to appear at a scheduled hearing and a default decision revoking her license and certificate was issued and became effective on January 25, 2003.

2. On April 27, 2007, petitioner filed this petition for reinstatement of her license.

3. Petitioner expressed gratitude for the revocation of her nursing license – when she had been placed on probation she did not stop using Soma and continued to spiral downward in her addiction; but when her license was revoked she hit bottom and began to address her addiction.

4. Petitioner has been clean and sober since March 8, 2004. She is very involved in recovery. She attends three to four Cocaine Anonymous meetings per week,¹ she sponsors woman at three different sober living homes, she provides food and clothing for women at the homes, she takes panels into correctional facilities to speak on addiction issues, and she volunteers at various recovery-related events.

5. Petitioner would like to return to her former practice as an OB-GYN nurse practitioner.

LEGAL CONCLUSIONS

Petitioner established to the satisfaction of the board that it would not be against the public interest to reinstate her registered nurse license and nurse practitioner certificate upon appropriate terms and conditions. Because petitioner has been out of practice for many years, those conditions must include completion of a nursing refresher course before she is permitted to resume practicing.

ORDER

The petition of Paris Conner-Roscoe for reinstatement of licensure is hereby granted. Registered nurse license number 361533 and nurse practitioner certificate number 5955 are both reinstated. Both the license and the certificate shall be immediately revoked, the order of revocation stayed, and petitioner placed on probation for a period of five years on the following conditions:

¹ Petitioner was in recovery from cocaine abuse from 1983 to 1988. She stopped using the drug in 1983 when she began attending CA meetings. She continues to attend that group's meetings because she likes that fellowship.

SEVERABILITY CLAUSE – Each condition of probation contained herein is a separate and distinct condition. If any condition of this order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this order, and all other applications thereof, shall not be affected. Each condition of this order shall separately be valid and enforceable to the fullest extent permitted by law.

(1) REFRESHER COURSE

Petitioner shall enroll in and successfully complete a refresher course or equivalent set of courses as approved by representatives of the board. Petitioner is suspended from practice until the required course work is successfully completed, but may use her license for the limited purpose of completing clinical requirements for the required coursework.

(2) OBEY ALL LAWS

Petitioner shall obey all federal, state and local laws. A full and detailed account of any and all violations of law shall be reported by petitioner to the board in writing within 72 hours of occurrence. To permit monitoring of compliance with this condition, petitioner shall submit completed fingerprint forms and fingerprint fees within 45 days of the effective date of the decision, unless previously submitted as part of the licensure application process.

CRIMINAL COURT ORDERS:

If petitioner is under criminal court orders, including probation or parole, and the order is violated, this shall be deemed a violation of these probation conditions, and may result in the filing of an accusation and/or petition to revoke probation.

(3) COMPLY WITH THE BOARD'S PROBATION PROGRAM

Petitioner shall fully comply with the conditions of the probation program established by the board and shall cooperate with representatives of the board in its monitoring and investigation of petitioner's compliance with the board's probation program. Petitioner shall inform the board in writing within no more than 15 days of any address change and shall at all times maintain an active, current license status with the board, including during any period of suspension.

Upon successful completion of probation, petitioner's license and certificate shall be fully restored.

(4) REPORT IN PERSON

Petitioner, during the period of probation, shall appear in person at interviews/ meetings as directed by the board or its designated representatives.

(5) RESIDENCY, PRACTICE, OR LICENSURE OUTSIDE OF STATE

Periods of residency or practice as a registered nurse outside of California shall not apply toward a reduction of this probation time period.

Petitioner's probation is tolled if and when she resides outside of California. Petitioner must provide written notice to the board within 15 days of any change of residency or practice outside the state, and within 30 days prior to re-establishing residency or returning to practice in this state.

Petitioner shall provide a list of all states and territories where she has ever been licensed as a registered nurse, vocational nurse, or practical nurse. Petitioner shall further provide information regarding the status of each license and any changes in such license status during the term of probation. Petitioner shall inform the board if she applies for or obtains a new nursing license during the term of probation.

(6) SUBMIT WRITTEN REPORTS

Petitioner, during the period of probation, shall submit or cause to be submitted such written reports/declarations and verification of actions under penalty of perjury, as required by the board. These reports/declarations shall contain statements relative to petitioner's compliance with all the conditions of the board's probation program. Petitioner shall immediately execute all release of information forms as may be required by the board or its representatives.

Petitioner shall provide a copy of this decision to the nursing regulatory agency in every state and territory in which he or she has a registered nurse license.

(7) FUNCTION AS A REGISTERED NURSE

Petitioner, during the period of probation, shall engage in the practice of registered nursing in California for a minimum of 24 hours per week for six consecutive months or as determined by the board.

For purposes of compliance with this section, "engage in the practice of registered nursing" may include, when approved by the board, volunteer work

as a registered nurse, or work in any non-direct patient care position that requires licensure as a registered nurse.

The board may require that advanced practice nurses engage in advanced practice nursing for a minimum of 24 hours per week for six consecutive months or as determined by the board.

If petitioner has not complied with this condition during the probationary term, and petitioner has presented sufficient documentation of her good faith efforts to comply with this condition, and if no other conditions have been violated, the board, in its discretion, may grant an extension of petitioner's probation period up to one year without further hearing in order to comply with this condition. During the one-year extension, all original conditions of probation shall apply.

(8) EMPLOYMENT APPROVAL AND REPORTING REQUIREMENTS

Petitioner shall obtain prior approval from the board before commencing or continuing any employment, paid or voluntary, as a registered nurse. Petitioner shall cause to be submitted to the board all performance evaluations and other employment related reports as a registered nurse upon request of the board.

Petitioner shall provide a copy of this decision to her employer and immediate supervisors prior to commencement of any nursing or other health care related employment.

In addition to the above, petitioner shall notify the board in writing within 72 hours after she obtains any nursing or other health care related employment. Petitioner shall notify the board in writing within 72 hours after she is terminated or separated, regardless of cause, from any nursing or other health care related employment with a full explanation of the circumstances surrounding the termination or separation.

(9) SUPERVISION

Petitioner shall obtain prior approval from the board regarding petitioner's level of supervision and/or collaboration before commencing or continuing any employment as a registered nurse, or education and training that includes patient care.

Petitioner shall practice only under the direct supervision of a registered nurse in good standing (no current discipline) with the Board of Registered Nursing, unless alternative methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician) are approved.

Petitioner's level of supervision and/or collaboration may include, but is not limited to the following:

- (a) Maximum – The individual providing supervision and/or collaboration is present in the patient care area or in any other work setting at all times.
- (b) Moderate – The individual providing supervision and/or collaboration is in the patient care unit or in any other work setting at least half the hours petitioner works.
- (c) Minimum – The individual providing supervision and/or collaboration has person-to-person communication with petitioner at least twice during each shift worked.
- (d) Home Health Care – If petitioner is approved to work in the home health care setting, the individual providing supervision and/or collaboration shall have person-to-person communication with petitioner as required by the board each work day. Petitioner shall maintain telephone or other telecommunication contact with the individual providing supervision and/or collaboration as required by the board during each work day. The individual providing supervision and/or collaboration shall conduct, as required by the board, periodic on-site visits to patients' homes visited by the petitioner with or without petitioner present.

(10) EMPLOYMENT LIMITATIONS

Petitioner shall not work for a nurse's registry, a temporary nurse placement agency, an in-house nursing pool, in any private duty position as a registered nurse, or as a traveling nurse.

Petitioner shall not work for a licensed home health agency as a visiting nurse unless the registered nursing supervision and other protections for home visits have been approved by the board. Petitioner shall not work in any other registered nursing occupation where home visits are required.

Petitioner shall not work in any health care setting as a supervisor of registered nurses. The board may additionally restrict petitioner from supervising licensed vocational nurses and/or unlicensed assistive personnel on a case-by-case basis.

Petitioner shall not work as a faculty member in an approved school of nursing or as an instructor in a board-approved continuing education program.

Petitioner shall work only on a regularly assigned, identified and predetermined worksite(s) and shall not work in a float capacity.

If petitioner is working or intends to work in excess of 40 hours per week, the board may request documentation to determine whether there should be restrictions on the hours of work.

(11) COMPLETE A NURSING COURSE(S)

Petitioner, at her own expense, shall enroll in and successfully complete a course(s) relevant to the practice of registered nursing no later than six months prior to the end of her probationary term.

Petitioner shall obtain prior approval from the board before enrolling in the course(s). Petitioner shall submit to the board the original transcripts or certificates of completion for the above required course(s). The board shall return the original documents to petitioner after photocopying them for its records.

(12) VIOLATION OF PROBATION

If petitioner violates the conditions of her probation, the board after giving petitioner notice and an opportunity to be heard, may set aside the stay order and impose the stayed discipline (revocation) of petitioner's license.

If during the period of probation an accusation or petition to revoke probation has been filed against petitioner's license or the Attorney General's Office has been requested to prepare an accusation or petition to revoke probation against petitioner's license, the probationary period shall automatically be extended and shall not expire until the accusation or petition has been acted upon by the board.

(13) LICENSE SURRENDER

During petitioner's term of probation, if she ceases practicing due to retirement or health reasons, or is otherwise unable to satisfy the conditions of probation, petitioner may surrender her license to the board. The board reserves the right to evaluate petitioner's request and to exercise its discretion whether to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances, without further hearing. Upon formal

acceptance of the tendered license and wall certificate, petitioner will no longer be subject to the conditions of probation.

Surrender of petitioner's license shall be considered a disciplinary action and shall become a part of petitioner's license history with the board. A registered nurse whose license has been surrendered may petition the board for reinstatement no sooner than the following minimum periods from the effective date of the disciplinary decision:

- 1) Two years for reinstatement of a license that was surrendered for any reason other than a mental or physical illness; or
- 2) One year for a license surrendered for a mental or physical illness.

(14) PHYSICAL EXAMINATION

Within 45 days of the effective date of this decision, petitioner, at her expense, shall have a licensed physician, nurse practitioner, or physician assistant, who is approved by the board before the assessment is performed, submit an assessment of petitioner's physical condition and capability to perform the duties of a registered nurse. Such an assessment shall be submitted in a format acceptable to the board. If medically determined, a recommended treatment program will be instituted and followed by petitioner with the physician, nurse practitioner, or physician assistant providing written reports to the board on forms provided by the board.

If petitioner is determined to be unable to practice safely as a registered nurse, the licensed physician, nurse practitioner, or physician assistant making this determination shall immediately notify the board and petitioner by telephone, and the board shall request that the Attorney General's office prepare an accusation or petition to revoke probation. Petitioner shall immediately cease practice and shall not resume practice until notified by the board. During this period of suspension, petitioner shall not engage in any practice for which a license issued by the board is required until the board has notified petitioner that a medical determination permits petitioner to resume practice. This period of suspension will not apply to the reduction of this probationary time period.

If petitioner fails to have the above assessment submitted to the board within the 45-day requirement, petitioner shall immediately cease practice and shall not resume practice until notified by the board. This period of suspension will not apply to the reduction of this probationary time period. The board may waive or postpone this suspension only if significant, documented evidence of mitigation is provided. Such evidence must establish good faith efforts by

petitioner to obtain the assessment, and a specific date for compliance must be provided. Only one such waiver or extension may be permitted.

(15) PARTICIPATE IN TREATMENT/REHABILITATION PROGRAM FOR CHEMICAL DEPENDENCE

Petitioner, at her expense, shall successfully complete during the probationary period, or shall have successfully completed prior to commencement of probation, a board-approved treatment/rehabilitation program of at least six months duration. As required, reports shall be submitted by the program on forms provided by the board. If petitioner has not completed a board-approved treatment/rehabilitation program prior to commencement of probation, petitioner, within 45 days from the effective date of the decision, shall be enrolled in a program. If a program is not successfully completed within the first nine months of probation, the board shall consider petitioner in violation of probation.

Based on board recommendation, each week petitioner shall be required to attend at least one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as approved and directed by the board. If a nurse support group is not available, an additional 12-step meeting or equivalent shall be added. Petitioner shall submit dated and signed documentation confirming such attendance to the board during the entire period of probation. Petitioner shall continue with the recovery plan recommended by the treatment/rehabilitation program or a licensed mental health examiner and/or other ongoing recovery groups.

(16) ABSTAIN FROM USE OF PSYCHOTROPIC (MOOD-ALTERING) DRUGS

Petitioner shall completely abstain from the possession, injection or consumption by any route of all psychotropic (mood altering) drugs, including alcohol, except when the same are ordered by a health care professional legally authorized to do so as part of documented medical treatment. Petitioner shall have sent to the board by the prescribing health professional, in writing and within 14 days, a report identifying the medication, dosage, the date the medication was prescribed, the petitioner's prognosis, the date the medication will no longer be required, and the effect on the recovery plan, if appropriate.

Petitioner shall identify for the board a single physician, nurse practitioner, or physician assistant who shall be aware of petitioner's history of substance abuse and will coordinate and monitor any prescriptions for petitioner for

dangerous drugs, controlled substances, or mood-altering drugs. The coordinating physician, nurse practitioner, or physician assistant shall report to the board on a quarterly basis petitioner's compliance with this condition. If any substances considered addictive have been prescribed, the report shall identify a program for the time-limited use of any such substances.

The board may require the single coordinating physician, nurse practitioner, or physician assistant to be a specialist in addictive medicine, or to consult with a specialist in addictive medicine.

(17) SUBMIT TO TESTS AND SAMPLES

Petitioner, at her expense, shall participate in a random, biological fluid testing or a drug screening program which the board approves. The length of time and frequency will be subject to approval by the board. Petitioner is responsible for keeping the board informed of her current telephone number at all times. Petitioner shall also ensure that messages may be left at the telephone number when she is not available and shall ensure that reports are submitted directly by the testing agency to the board, as directed. Any confirmed positive finding shall be reported immediately to the board by the program and petitioner shall be considered in violation of probation.

In addition, petitioner, at any time during the period of probation, shall fully cooperate with the board or any of its representatives, and shall, when requested, submit to such tests and samples as the board or its representatives may require for the detection of alcohol, narcotics, hypnotics, dangerous drugs, or other controlled substances.

If petitioner has a positive drug screen for any substance not legally authorized and not reported to the coordinating physician, nurse practitioner, or physician assistant, and the board files a petition to revoke probation or an accusation, the board may suspend petitioner from practice pending the final decision on the petition to revoke probation or the accusation. This period of suspension will not apply to the reduction of this probationary time period.

If petitioner fails to participate in a random, biological fluid testing or drug screening program within the specified time frame, petitioner shall immediately cease practice and shall not resume practice until notified by the board. After taking into account documented evidence of mitigation, if the board files a petition to revoke probation or an accusation, the board may suspend petitioner from practice pending the final decision on the petition to revoke probation or the accusation. This period of suspension will not apply to the reduction of this probationary time period.

(18) MENTAL HEALTH EXAMINATION

Petitioner shall, within 45 days of the effective date of this decision, have a mental health examination including psychological testing as appropriate to determine her capability to perform the duties of a registered nurse. The examination will be performed by a psychiatrist, psychologist or other licensed mental health practitioner approved by the board. The examining mental health practitioner will submit a written report of that assessment and recommendations to the board. All costs are the responsibility of petitioner. Recommendations for treatment, therapy or counseling made as a result of the mental health examination will be instituted and followed by petitioner.

If petitioner is determined to be unable to practice safely as a registered nurse, the licensed mental health care practitioner making this determination shall immediately notify the board and petitioner by telephone, and the board shall request that the Attorney General's office prepare an accusation or petition to revoke probation. Petitioner shall immediately cease practice and may not resume practice until notified by the board. During this period of suspension, petitioner shall not engage in any practice for which a license issued by the board is required, until the board has notified petitioner that a mental health determination permits her to resume practice. This period of suspension will not apply to the reduction of this probationary time period.

If petitioner fails to have the above assessment submitted to the board within the 45-day requirement, petitioner shall immediately cease practice and shall not resume practice until notified by the board. This period of suspension will not apply to the reduction of this probationary time period. The board may waive or postpone this suspension only if significant, documented evidence of mitigation is provided. Such evidence must establish good faith efforts by petitioner to obtain the assessment, and a specific date for compliance must be provided. Only one such waiver or extension may be permitted.

(19) THERAPY OR COUNSELING PROGRAM

Petitioner, at her expense, shall participate in an on-going counseling program until such time as the board releases her from this requirement and only upon

the recommendation of the counselor. Written progress reports from the counselor will be required at various intervals.

DATED: July 20, 2007

LaFrancine Tate

LaFRANCINE TATE

President

Board of Registered Nursing

Department of Consumer Affairs